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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,288	06/27/2001	Kayo Teramoto	040894-5683	1847
9629	7590	03/11/2004	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			AGUSTIN, PETER VINCENT	
		ART UNIT		PAPER NUMBER
		2652		
DATE MAILED: 03/11/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/891,288

**Applicant(s)**

TERAMOTO, KAYO

**Examiner**

Peter Vincent M Agustin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### **Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### **Disposition of Claims**

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 June 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Specification***

1. Claims 6, 7, 9 & 10 objected to because of the following informalities:  
  
Claims 6 & 9, last line: "display" should be --displaying--.  
  
Claims 7 & 10, 2<sup>nd</sup> line: "media" should be --medium--.  
  
Appropriate correction is required.
2. Claims 5, 6, 8 & 9 are objected to because: claims 5 & 8 recite the limitation "the video signal", and claims 6 & 9 recite the limitations "said display means" and "said display member", which should be --a video signal--, --said displaying means--, and --said displaying member--, respectively, because there is insufficient antecedent basis for these limitations in the claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Yonemitsu et al. (hereafter Yonemitsu) (US 5,903,705) in view of Kurano et al. (hereafter Kurano) (US 5,813,010).

In regard to claim 1, Yonemitsu discloses a recording medium reproduction apparatus (figure 2) for reproducing a recording medium (20) in which recorded data and recording medium side reproduction restriction information for restricting

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reproduction of the recorded data is recorded (column 6, lines 14-21), said recording medium reproduction apparatus comprising: recording means in which apparatus side reproduction restriction information related to recording medium side reproduction restriction information is recorded (column 5, lines 45-51); information reading means which reads the apparatus side reproduction restriction information recorded in said recording means (figure 5, step S102) and also reads the recording medium side reproduction restriction information from the recording medium (S101) before reproducing the recorded data from the recording medium; comparing means (S102) which compares the apparatus side reproduction restriction information with the recording medium side reproduction restriction information each read from said information reading means; determination means which determines whether reproduction of the recorded data is to be allowed (S104) or not (S105) based on the comparison result of said comparing means; and control means which stops reproduction of the recorded data (S105) when said determination means determines that the reproduction of the recorded data is not allowed. Furthermore, in regard to claim 2, Yonemitsu discloses that the recording medium side reproduction restriction information is a region code (figure 3B: territory code). However, Yonemitsu does not disclose that the control means outputs and displays the recording medium side reproduction restriction information when said determination means determines that the reproduction of the recorded data is not allowed.

Kurano discloses a monitor (figure 1, element 6) that displays characters indicating that parental control is being performed (figure 30, step S30) in order to notify

the user that reproduction is restricted. It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have configured the control means of Yonemitsu to output and display restriction information when it is determined that reproduction is not allowed, as suggested by Kurano. The motivation would have been to notify the user that reproduction is restricted.

In regard to claim 3, Yonemitsu discloses a recording medium reproduction apparatus (figure 2) for reproducing a recording medium (20) in which recorded data and recording medium side reproduction restriction information for restricting reproduction of the recorded data is recorded (column 6, lines 14-21), said recording medium reproduction apparatus comprising: recording member in which apparatus side reproduction restriction information related to recording medium side reproduction restriction information is recorded (column 5, lines 45-51); information reading member which reads the apparatus side reproduction restriction information recorded in said recording member (figure 5, step S102) and also reads the recording medium side reproduction restriction information from the recording medium (S101) before reproducing the recorded data from the recording medium; comparing member (S102) which compares the apparatus side reproduction restriction information with the recording medium side reproduction restriction information each read from said information reading member; determination member which determines whether reproduction of the recorded data is to be allowed (S104) or not (S105) based on the comparison result of said comparing member; and control member which stops reproduction of the recorded data (S105) when said determination member determines

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that the reproduction of the recorded data is not allowed. Furthermore, in regard to claim 4, Yonemitsu discloses that the recording medium side reproduction restriction information is a region code (figure 3B: territory code). However, Yonemitsu does not disclose that the control member outputs and displays the recording medium side reproduction restriction information when said determination member determines that the reproduction of the recorded data is not allowed.

Kurano discloses a monitor (figure 1, element 6) that displays characters indicating that parental control is being performed (figure 30, step S30) in order to notify the user that reproduction is restricted. It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have configured the control member of Yonemitsu to output and display restriction information when it is determined that reproduction is not allowed, as suggested by Kurano. The motivation would have been to notify the user that reproduction is restricted.

In regard to claim 5, Yonemitsu further discloses that said apparatus comprises a reproducing means (figure 5, step S104). However, Yonemitsu does not disclose that said apparatus comprises: an OSD generating means; a displaying means; wherein when said determination means determines that the reproduction of the recorded data is not allowed, said control means generates character signal related to an error signal and a recording media side reproducing restriction information in said OSD generating means, and outputs and displays on said displaying means with superposing on the video signal.

Kurano inherently discloses an OSD (on-screen display) generating means. It should be noted that displaying characters indicating that parental control is being performed (column 23, lines 21-22) indicates the presence of an OSD generating means. In this reference, the inherent OSD generating means generates the displayed characters. Kurano discloses a displaying means (figure 1, element 6), and discloses that when said determination means determines that the reproduction of the recorded data is not allowed, said control means generates character signal related to an error signal and a recording media side reproducing restriction information in said OSD generating means, and outputs and displays on said displaying means with superposing on the video signal (column 23, lines 13-22). It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have added the OSD generating means and displaying means of Kurano to the apparatus of Yonemitsu. The motivation would have been to notify the user that reproduction is restricted.

In regard to claim 6, Yonemitsu does not disclose that said apparatus comprises a receiving means coupled to the outside of said recording medium reproduction apparatus, wherein when said determination means determines that the reproduction of the recorded data is not allowed, said control means outputs and displays information on said receiving means and on said display means.

Kurano discloses a receiving means (figure 1, element 6) coupled to the outside of a recording medium reproduction apparatus (as shown in figure 1), wherein when said determination means determines that the reproduction of the recorded data is not allowed, said control means outputs and displays information on said receiving means

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and on said display means (column 23, lines 13-22). It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have added the receiving means of Kurano to the apparatus of Yonemitsu. The motivation would have been to notify the user that reproduction is restricted.

In regard to claim 7, Yonemitsu does not disclose that the recording media side reproduction restriction information is a parental level code.

Kurano discloses that the restriction information is a parental level code, wherein the number of levels vary depending on the country code, as shown in figure 52. It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have configured the restriction information of Yonemitsu to be a parental level code as suggested by Kurano, the motivation being to achieve an accurate parental control of selective restriction for discs whose presentation is restricted by parental information.

In regard to claim 8, Yonemitsu further discloses that said apparatus comprises a reproducing member (figure 5, step S104). However, Yonemitsu does not disclose that said apparatus comprises: an OSD generating member; a displaying member; wherein when said determination member determines that the reproduction of the recorded data is not allowed, said control member generates character signal related to an error signal and a recording media side reproducing restriction information in said OSD generating member, and outputs and displays on said displaying member with superposing on the video signal.

Kurano inherently discloses an OSD (on-screen display) generating member. It should be noted that displaying characters indicating that parental control is being performed (column 23, lines 21-22) indicates the presence of an OSD generating member. In this reference, the inherent OSD generating member generates the displayed characters. Kurano discloses a displaying member (figure 1, element 6), and discloses that when said determination member determines that the reproduction of the recorded data is not allowed, said control member generates character signal related to an error signal and a recording media side reproducing restriction information in said OSD generating member, and outputs and displays on said displaying member with superposing on the video signal (column 23, lines 13-22). It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have added the OSD generating member and displaying member of Kurano to the apparatus of Yonemitsu. The motivation would have been to notify the user that reproduction is restricted.

In regard to claim 9, Yonemitsu does not disclose that said apparatus comprises a receiving member coupled to the outside of said recording medium reproduction apparatus, wherein when said determination member determines that the reproduction of the recorded data is not allowed, said control member outputs and displays information on said receiving member and on said display member.

Kurano discloses a receiving member (figure 1, element 6) coupled to the outside of a recording medium reproduction apparatus (as shown in figure 1), wherein when said determination member determines that the reproduction of the recorded data is not

allowed, said control member outputs and displays information on said receiving member and on said display member (column 23, lines 13-22). It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have added the receiving member of Kurano to the apparatus of Yonemitsu. The motivation would have been to notify the user that reproduction is restricted.

In regard to claim 10, Yonemitsu does not disclose that the recording media side reproduction restriction information is a parental level code.

Kurano discloses that the restriction information is a parental level code, wherein the number of levels vary depending on the country code, as shown in figure 52. It would have been obvious to one of ordinary skill in the art at the time of invention by the applicant to have configured the restriction information of Yonemitsu to be a parental level code as suggested by Kurano, the motivation being to achieve an accurate parental control of selective restriction for discs whose presentation is restricted by parental information.

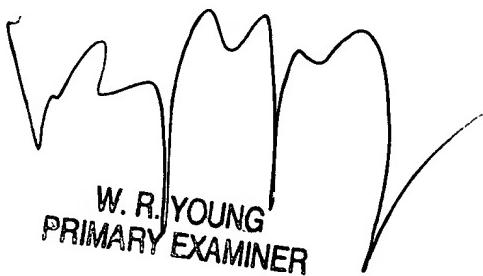
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Vincent M Agustin whose telephone number is (703) 305-8980. The examiner can normally be reached on Monday thru Friday 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PVA  
03/02/2004

  
W. R. YOUNG  
PRIMARY EXAMINER